

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled RECOMBINANT PHYTASES AND METHODS OF MAKING AND USING THEM, the specification of which:

- ☐ is attached hereto.
☒ was filed on June 20, 2003 as Application Serial No. 10/601,319 and was amended on _____
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
------------------------	--------------------	---------------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/866,379	May 24, 2001	Pending
09/580,515	May 25, 2000	Pending
09/318,528	May 25, 1999	Issued
09/291,931	April 13, 1999	Issued
09/259,214	March 1, 1999	Issued
08/910,798	August 13, 1997	Issued

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration and Power of Attorney

Page 2 of 4 Pages

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Gregory P. Einhorn, Reg. No. 38,440
Shekhar Vyas, Reg. No. 46,166
Scott C. Harris, Reg. No. 32,030
David L. Feigenbaum, Reg. No. 30,378
Hans R. Troesch, Reg. No. 36,950
Bing Ai, Reg. No. 43,312
Frederick H. Rabin, Reg. No. 24,488
John C. Phillips, Reg. No. 35,322
Alexander C. Chen, Reg. No. 45,591

Michael P. Reed, Reg. No. 45,647
William Hunter, Reg. No. 47,671
John Hayden, Reg. No. 37,640
Dorothy Whelan, Reg. No. 33,814
Linda G. Gunderson, Reg. No. 46,341
Richard J. Anderson, Reg. No. 36,732
Samuel Borodach, Reg. No. 38,388
Kenyon Jenckes, Reg. No. 41,873

In addition, I also hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Carolyn Erickson, Registration No. 47,550
James E. Butler, Registration No. 40,931
Lynn Linkowski, Registration No. 47,320

Timothy E. Torchia, Registration No. 36,700
Antony Novom, Registration No. 45,517
Calvin Fan, Registration No. 38,444

Direct all telephone calls to GREGORY P. EINHORN at telephone number (858) 678-5070.

Direct all correspondence to the following:

20985

PTO Customer Number

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: JAY M. SHORT

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Rancho Santa Fe, California

United States

681 Paseo Delicias, Box 7214

Rancho Santa Fe, California 92067-7214


Date:

12/4/03

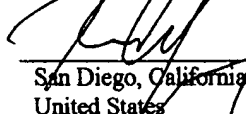
Combined Declaration and Power of Attorney

Page 3 of 4 Pages


Full Name of Inventor: KEITH KRETZ

Inventor's Signature:  Date: 12/9/03
Residence Address: San Marcos, California
Citizenship: United States
Post Office Address: 973 Hawthorne Court
San Marcos, California 92069

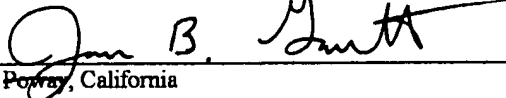
Full Name of Inventor: KEVIN A. GRAY

Inventor's Signature:  Date: 12/9/03
Residence Address: San Diego, California
Citizenship: United States
Post Office Address: 12119 Eleonore Court
San Diego, California 92131

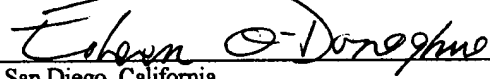
Full Name of Inventor: NELSON R. BARTON

Inventor's Signature:  Date: 12/8/03
Residence Address: San Diego, California
Citizenship: United States
Post Office Address: 10928 Sunset Ridge Drive
San Diego, California 92131

Full Name of Inventor: JAMES B. GARRETT

Inventor's Signature:  Date: 12/9/03
Residence Address: Poway, California
Citizenship: United States
Post Office Address: ~~13605 Sycamore Tree Lane~~ 11379 Pajaro Way
Poway, California San Diego, CA 92127
JBG 12/9/03

Full Name of Inventor: EILEEN O'DONOGHUE

Inventor's Signature:  Date: 12/9/03
Residence Address: San Diego, California
Citizenship: Canada
Post Office Address: 1136 Missouri Street
San Diego, California 92109

Combined Declaration and Power of Attorney

Page 4 of 4 Pages

Full Name of Inventor: ERIC J. MATHER

Inventor's Signature:

Residence Address: Carlsbad, California

Citizenship: United States

Post Office Address: 2654 Galicia Way
Carlsbad, California 92009

Date:

11/27/03